

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7, 10-23, 28-36, 38 and 39-52 are presently active in this case, Claims 1, 17, 33, and 39 amended by way of the present amendment.

In the outstanding Official Action, Claims 1-7, 10, 12-23, 26, 28-36, 39-46 and 48-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,175,860 to Gaucher in view of U.S. Patent No. 4,949,299 to Pickett; and Claims 11, 27, 38 and 47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gaucher in view of Pickett, and further in view of U.S. Patent No. 6,803,728 to Balasubramaniam et al.

First, Applicants wish to thank Supervisory Patent Examiner Vu for the August 17, 2005 personal interview at which time the outstanding issues in this case were discussed. During the interview, Applicants presented amendments and arguments substantially as indicated in this response. While no formal agreement was reached, Examiner Vu agreed that the claim limitation “management action changes the condition of the electronic device” differs from the downloading process described in the Gaucher patent.

Turning now to the merits, in order to expedite issuance of a patent in this case, Applicants have amended independent Claims 1, 17, 33, and 39 to clarify the patentable distinctions of the present invention over the cited references. Specifically, Applicant’s Claim 1 as amended recites a method for managing electronic devices including providing a main server including software for managing network resources from a single point of administration, wirelessly connecting a plurality of electronic devices to the main server to create a LAN, and managing the electronic devices using the software. Also recited is that the electronic devices include at least one of an appliance, an environmental control device,

and an entertainment device. Further, the step of managing includes monitoring management initiating parameters including at least one of a system clock and sensed parameters for the electronic devices, determining a management action to be performed on an electronic device to be managed based on the management initiating parameters, the management action changing a condition of the electronic device, and transmitting a management action data packet to the electronic device to be managed in order to initiate the management action. Thus, Applicant's Claim 1 has been amended to clarify that the management action changes a condition of the electronic device and the management action data packet initiates the management action. The remaining independent claims have been similarly amended to include this feature.

Support for the feature of the management action changing a condition of the electronic device is provided at least by page 17, lines 7-19 of the specification as originally filed. For example, this section of the specification indicates that a management action is a predetermined action such as turning on a VCR or charging a battery. Thus, the amendment to the claims do not raise an issue of new matter.

The cited reference to Gaucher discloses a method and apparatus for an automatic multi-wireless/wired computer network having a master computer 12 and various appliances such as VCR 44, printer 30 and automobile 60. As discussed in the August 17th personal interview, the master computer 12 of Gaucher provides a common interface for the various appliances on the Gaucher network. However, Gaucher in no way discloses monitoring for management initiating parameters, determining a management action to be performed or initiating a management action as now recited in the claims.

First, as agreed in the August 17th personal interview, the downloading of mileage information from an automobile that enters the Gaucher wireless network is not a

management action that changes the condition of the electronic device as now claimed in Applicant's independent claims. Applicant further submits that Gaucher does not determine and initiate any change in electronic devices based the monitoring of that electronic device. As disclosed at column 5, lines 60-63 of Gaucher, this reference merely allows a user to control all devices on the wireless network by using a single master controller computer 12. To the extent that the master controller allows the user to change the condition of a network device, such as the VCR 44, this change in condition is not based on a monitoring and determining step.

More specifically, Applicant's independent claims require that management initiating parameters including at least one of a system clock and sensed parameters for a device to be monitored; a user does not do this. The claims also require a management action (i.e., an action for changing the electronic device) be determined based on the management initiating parameters. A user requesting to turn on a device using the master computer of Gaucher would not meet the required determining step of the claim. Further, a user changing a condition of the electronic device would not meet the requirement of transmitting a management action data packet that initiates the management action. In short, it would be the user to initiate the management action.

Thus, the cited reference to Gaucher does not disclose "monitoring management initiating parameters including at least one of a system clock and sensed parameters, for the electronic devices; determining a management action to be performed on the electronic device to be managed based on the management initiating parameters, the management action changing a condition of the electronic device; and transmitting a management action data packet to the electronic device to be managed in order to initiate the management action" as required by each of the independent claims.

The secondary reference to Pickett does not correct the deficiencies of Gaucher. Pickett merely discloses an industrial control communication network having a programmable controller 12 that sends a communication message to actuators 22 and sensors 14 on the industrial control network. Applicants note that these actuators and sensors are not one of an appliance, an environmental control device and an entertainment device as these terms are used throughout the specification. Moreover, as discussed in the August 17th interview, the clarification in the claims that the management action changes a condition of the electronic device clearly distinguishes over conventional communications protocol on the industrial network of Pickett. Specifically, any monitoring of the actuators and sensors as part of a communication protocol is not a monitoring that is used to determine a management action to be performed on the actuator or sensor. Indeed, as Pickett does not disclose the claimed electronic device at all, this reference does not monitor, determine or initiate management actions at all. Finally, even assuming that the monitoring, determining and transmitting can be gleaned from Pickett, there is no motivation to combine any feature of Pickett with Gaucher. As noted above, Gaucher relates to home appliances on a home network, while Pickett relates to feedback systems in an industrial setting. There is no suggestion in either of these references that the control techniques of devices in a manufacturing plant could be helpful in a home network. Thus, one of ordinary skill in the art would not be motivated to combine Gaucher and Pickett.

The reference to Balasubramaniam et al. is cited only for teachings of dependent claim features and does not correct the deficiencies of Gaucher and Pickett. Thus, independent claims 1, 17, 33 and 39, and claims depending therefrom, patentably define over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance an early and favorable action is therefore respectfully requested.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "J. Kulbaski", is written over a horizontal line.

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